



Sector 18

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PTO/SB/21 (08-00)

Approved for use through 10/31/2002. OMB 0651-0031

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TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	09/768,658	
	Filing Date	January 23, 2001	
	First Named Inventor	Jeremy A. Kenyon et al.	
	Group Art Unit	2152	
	Examiner Name	Not yet assigned	
Total Number of Pages in This Submission	13	Attorney Docket Number	41018.P009

ENCLOSURES (check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Assignment Papers (for an Application)	<input type="checkbox"/> After Allowance Communication to Group
<input checked="" type="checkbox"/> Fee Attached	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment / Reply	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	1. Return Receipt Postcard
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	2. Signed declaration/POA (4 pages)
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	3. Check #5015 in the amount of \$65.00 for Missing Parts Fee (small entity)
<input type="checkbox"/> Response to Missing Parts/Incomplete Application	Remarks	4. Copy of Notice to File Missing Parts (1 page)
<input checked="" type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		5. Copy of Deposit Account Monthly Statement (1 page)

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	Aloysius T.C. AuYeung # 36, 432 COLUMBIA IP LAW GROUP, PC
Signature	Robert A. Diehl Robert A. Diehl, 40,992 for
Date	May 8, 2001

CERTIFICATE OF MAILING	
I hereby certify that this correspondence is being deposited with the United States postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington, DC 20231 on this date: 5/8/01	
Typed or printed name	Michelle J. Turner
Signature	<i>Michelle J. Turner</i>
Date	5/8/01

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.



PTO/SB/17 (11-00)
Approved for use through 10/31/2002. OMB 0651-0032
Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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FEE TRANSMITTAL for FY 2001		Complete if Known		
		Application Number	09/768,658	
Patent fees are subject to annual revision.		Filing Date	January 23, 2001	
		First Named Inventor	Jeremy A. Kenyon	
		Examiner Name	Not yet assigned	
		Group Art Unit	2152	
TOTAL AMOUNT OF PAYMENT (\$)		65.00	Attorney Docket No.	41018.P009

METHOD OF PAYMENT		FEE CALCULATION (continued)																																											
1. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to: Deposit Account Number: 501569 Deposit Account Name: Columbia IP Law Group, PC <input checked="" type="checkbox"/> Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17 <input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27		3. ADDITIONAL FEES																																											
2. <input checked="" type="checkbox"/> Payment Enclosed: <input checked="" type="checkbox"/> Check <input type="checkbox"/> Credit Card <input type="checkbox"/> Money Order <input type="checkbox"/> Other																																													
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1. BASIC FILING FEE																																													
<table border="1"><thead><tr><th>Large Entity Fee Code</th><th>Large Entity Fee (\$)</th><th>Small Entity Fee Code</th><th>Small Entity Fee (\$)</th><th>Fee Description</th><th>Fee Paid</th></tr></thead><tbody><tr><td>101</td><td>710</td><td>201</td><td>355</td><td>Utility filing fee</td><td></td></tr><tr><td>106</td><td>320</td><td>206</td><td>160</td><td>Design filing fee</td><td></td></tr><tr><td>107</td><td>490</td><td>207</td><td>245</td><td>Plant filing fee</td><td></td></tr><tr><td>108</td><td>710</td><td>208</td><td>355</td><td>Reissue filing fee</td><td></td></tr><tr><td>114</td><td>150</td><td>214</td><td>75</td><td>Provisional filing fee</td><td></td></tr><tr><td colspan="5">SUBTOTAL (1)</td><td>(\$) 0.00</td></tr></tbody></table>		Large Entity Fee Code	Large Entity Fee (\$)	Small Entity Fee Code	Small Entity Fee (\$)	Fee Description	Fee Paid	101	710	201	355	Utility filing fee		106	320	206	160	Design filing fee		107	490	207	245	Plant filing fee		108	710	208	355	Reissue filing fee		114	150	214	75	Provisional filing fee		SUBTOTAL (1)					(\$) 0.00		
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**or number previously paid, if greater; For Reissues, see above		SUBTOTAL (3) (\$) 65.00																																											
		*Reduced by Basic Filing Fee Paid																																											

SUBMITTED BY		Complete (if applicable)	
Name (Print/Type)	Aloysius T.C. AuYeung	Registration No. (Attorney/Agent)	35,432
Signature	Robert A. Diehl	Telephone	503-534-2800
	Robert A. Diehl 40,992 for	Date	5/8/01

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application for:

Jeremy A. Kenyon et al.

Application No.: 09/768,658

Filed: January 23, 2001

For: Asynchronous Software Update



Examiner: Not yet assigned

Art Group: 2152

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage in an envelope addressed Commissioner for Patents, Washington, DC 20231 on:

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MAY 8, 2001

Name of Person Mailing:

MICHELE TURNER

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Date: 5.8.01

Box MISSING PARTS
Commissioner for Patents
Washington, DC 20231

**RESPONSE TO NOTICE TO FILE MISSING PARTS
OF NONPROVISIONAL APPLICATION (FILING DATE GRANTED)**

Sir:

Enclosed for filing in the above-referenced patent application in response to the Notice to File Missing Parts of Nonprovisional Application dated March 8, 2001 are the following:

- (1) A check in the amount of **\$65.00 (small entity)** in payment of the surcharge of 37 C.F.R. § 1.16(e); .
- (2) A duly executed Declaration and Power of Attorney; and
- (3) A copy of the Notice to File Missing Parts;

Please note applicant's deposit account was charged the incorrect amount of fees in regards to this application. As reflected on the originally filed paperwork, applicant is considered a small entity. The fees charged to our deposit account #501569 were large entity fees totalling \$862.00 (\$710.00 basic filing fee; \$72.00 for 4 (four) claims in excess of 20 and \$80.00 for 1 (one) claim in excess of 3 independent claims). The amount which should have been charged for small entity fees totals \$431.00 (\$355.00 basic filing fee; \$36.00 for 4 (four) claims in excess of 20 and \$40.00 for 1 (one) claim in excess of 3 independent claims). **Therefore, applicant requests a credit in the amount of \$431.00. A copy of our monthly deposit account statement is enclosed for your reference.**

The Commissioner is hereby authorized to charge shortages or credit overpayments to Deposit Account No. 501569. A Fee Transmittal is enclosed in duplicate for fee processing purposes.

Respectfully submitted,
COLUMBIA IP LAW GROUP, LLC

Dated: 5/6, 2001

Robert A. Diehl, Robert A. Diehl, for
Aloysius T.C. AuYeung
Registration No. 35,432 40,992

4900 SW Meadows Road, Suite 109
Lake Oswego, Oregon 97035
503-534-2800



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
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APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/768,658	01/23/2001	Jeremy A. Kenyon	41018.P009

000025943
COLUMBIA IP LAW GROUP, LLC
4900 SW MEADOWS ROAD, SUITE 109
LAKE OSWEGO, OR 97035



CONFIRMATION NO. 3790
FORMALITIES LETTER



OC00000005838995

Date Mailed: 03/08/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 130.

*A copy of this notice **MUST** be returned with the reply.*

Zereba *Wt*

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

05/14/2001 HH0HAMM1 00000038 09768658

01 FC:205

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UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office

MONTHLY STATEMENT
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Account No.	501569
Date	3-30-01
Page	1

COLUMBIA IP LAW GROUP LLC
JUDY HROMYKO
4900 SW MEADOWS ROAD
SUITE 109
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FINA

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DATE POSTED			CONTROL NO.	DESCRIPTION (Serial, Patent, TM, Order)	DOCKET NO.	FEE CODE	CHARGES/ CREDITS	BALANCE
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3	1	01	3	09744780	41031.P006	704	GMI -448.00	2049.00
3	7	01	29	09768658	41018.P009	101	WT 710.00	1339.00
3	7	01	30	09768658	41018.P009	102	WT 80.00	1259.00
3	7	01	31	09768658	41018.P009	103	WT 72.00	1187.00
3	7	01	46	09796810	41018.P012	201	WT 355.00	832.00
3	7	01	47	09796810	41018.P012	203	WT 9.00	823.00
3	7	01	48	09796811	51026.P003	201	Rule 355.00	468.00
3	7	01	49	09796811	51026.P003	203	Rule 126.00	342.00
3	7	01	50	09796811	51026.P003	202	Rule 120.00	222.00
3	21	01	77	09811226	41023.P002	201	Wander 355.00	133.000D
3	21	01	205	PCT/US01/08600	51001.P0034 PCT	704	Zair -164.00	31.00
3	22	01	105	PCT/US01/08708		704	-164.00	195.00
3	30	01	335	SERVICE CHARGE		608	25.00	170.00

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